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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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02/01/2000

PHILIP C. ASHMAN

BWTIUSA

3888

270 7590 12/29/2008

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EXAMINER

PATTERSON, MARC A

ART UNIT

PAPER NUMBER

1794

MAIL DATE

DELIVERY MODE

12/29/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

REPEATED REJECTIONS

1. The 35 U.S.C. 103(a) rejection of Claims 1, 5 - 6, 12, 15 - 17, 19 - 21, 23, 26, 32, 35, 37 and 39 as being unpatentable over Kudert et al (U.S. Patent No. 5,523,045) in view of Fukui et al (Japanese Patent No. 03041135) and Branch (U.K. Patent No. 2295617), of record on page 2 of the previous Action, is repeated.

ANSWERS TO APPLICANT'S ARGUMENTS

2. Applicant's arguments regarding the 35 U.S.C. 103(a) rejection of Claims 1, 5 - 6, 12, 15 - 17, 19 - 21, 23, 26, 32, 35, 37 and 39 as being unpatentable over Kudert et al (U.S. Patent No. 5,523,045) in view of Fukui et al (Japanese Patent No. 03041135) and Branch (U.K. Patent No. 2295617), of record in the previous Action, have been carefully considered but have not been found to be persuasive for the reasons set forth below.

Applicant argues, on page 2 of the remarks dated October 15, 2008, that the disclosure in Kudert et al of a thickness of 0.001 inch or less does not include a thickness of 15 microns because of fear of the layer becoming discontinuous or not sufficiently thick to provide desired properties.

However, no fear of a thickness of 15 microns is disclosed by Kudert; the disclosure of a thickness of 0.001 inch or less therefore includes a thickness of 15 microns.

Applicant also argues, on page 5, that Kudert et al do not disclose the content of talc, location of the layer, or type of talc.

However, the previous Action acknowledges that Kudert et al do not disclose the content of talc, location of the layer, or type of talc.

Applicant also argues, on page 6, that Fukui et al fail to disclose a molten material for co - injection, whether bleed - through occurs, and that Branch fails to disclose simultaneous co - injection and whether bleed - through or delamination occurs.

However, Fukui et al and Branch are cited only for teachings that it would have been obvious for one of ordinary skill in the art to have provided for the claimed amount and type of talc; furthermore, there is no teaching on Kudert et al that particular amounts or types of talc create delamination or bleed - through or prevent co - injection.

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marc A Patterson whose telephone number is 571-272-1497.

The examiner can normally be reached on Mon - Fri 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rena Dye can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Marc A Patterson/
Primary Examiner, Art Unit 1794